HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI C.V.NAGARJUNA REDDY

Writ Appeal No.998 of 2006

Between

A.Venkata Raju and others ..Appellants

AND

State of Andhra Pradesh represented by Secretary, Irrigation Deparmentand others ..Respondents

:: JUDGMENT ::

Counsel for the appellants:	Sri M.V.S.Sarma, counsel appearing for Sri M.Sivananda Kumar
Counsel for the respondents:	Government Pleader for Land Acqisition Government Pleader for Irrigation

27-11-2006

Per G.S.Singhvi, CJ

This appeal is directed against order dated 30.8.2006 passed by the learned Single Judge, whereby he dismissed the writ petition filed by the appellants against the acquisition of the land comprised in Survey No.537, Murari Village, Gandepally Mandal, East Godavari District.

At the hearing, learned counsel for the appellants made a request that his clients may be permitted to withdraw the appeal with liberty to avail the remedy by filing civil suit and the Bench may clarify that the observations

made by the learned Single Judge will not operate to their prejudice in the litigation, which may be instituted hereinafter.

Learned Government Pleaders for Land Acquisition and Irrigation say that they do not have objection.

In view of the above, the writ appeal is dismissed with liberty to the appellants to avail the remedy by filing civil suit.

While disposing of the appeal in the manner indicated above, we deem it proper to clarify that the observations made by the learned Single Judge shall not operate to the prejudice of the appellants.

As a sequel to the dismissal of the appeal as withdrawn, W.A.M.P.No.2126 of 2006 filed by the appellants for interim relief is disposed of as infructuous.

G.S.SINGHVI, CJ

C.V.NAGARJUNA REDDY, J

27.11.2006.
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